IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2892 OF 2006
IN
FIRST APPEAL NO.1405 OF 2006

Institution of Mechanical
Engineers (India) & Anr. ...Applicants
Vs.
Prof. H.C. Patel ...Respondent

Shri Nitin Thakkar i/by Shri Bajaj i/by M/s. Dhruve Liladhar & Co. for the Applicants.

Shri A.L. Patki for the Respondent.

CORAM : A. S. OKA, J.
DATE : JULY 21, 2006.

P.C.:

1. Heard the learned Counsel appearing for the parties. First Appeal is already admitted. By the impugned judgment and decree, the Trial Court has set aside letter dated 05th October, 1999. By the said letter, the membership of the Respondent of the Applicant No.1 was cancelled.

2. First Appeal is already admitted for consideration of this Court. By way of interim arrangement during the pendency of the First Appeal the execution and operation of the decree will have to be stayed subject to condition that the Respondent will be allowed to attend and participate in all the

meetings of the first Applicant. However, he will not be entitled to vote. Hence, Civil Application is disposed of by passing following order:

(i) There will be interim relief in terms of prayer clause (a). Notwithstanding the grant of the interim relief in terms of prayer clause (a), the Applicants will permit the Respondent to attend all the meetings of the first Applicant and to participate in the meetings. However, the Respondent will not be permitted to exercise right to vote in the said meetings.

(ii) There will be no orders as to costs.

JUDGE